



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,752	02/25/2002	Stephen A. Cohen	A5W12038US	7502

7590 06/13/2003
KOPPEL & JACOBS
Suite 107
555 St. Charles Drive
Thousand Oaks, CA 91360

EXAMINER

MOTTOLA, STEVEN J

ART UNIT	PAPER NUMBER
----------	--------------

2817

DATE MAILED: 06/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

083,752

Applicant(s)

Cohen

Examiner

Mottola

Group Art Unit

2817

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-34 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1, 2, 5-10, 13-18, 21-34 is/are rejected.
- ☒ Claim(s) 3, 4, 11, 12, 19, 20, 21, 22, 23 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 2817

Claims 26-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what stage is referred to by "said differential amplifier" on line 19 of claim 26 as it would be the signals from the differential pair defined on line 9 that would have their error reduced, but the only 'differential amplifier' defined is the "differential error amplifier" on line 14.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1,2,5-10,13-18 and 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Shih et al.

Shih et al. disclose a differential temperature induced offset compensation scheme for a differential amplifier as shown in fig. 3. Treating independent claims 9 and 16 along with analogous method claim 1 first, and referring to detail fig. 4 of Shih et al., transistors 372,382 for instance of fig. 4b form a differential pair connected to different sides of the differential signal

Application/Control Number: 10/083,752

Art Unit:

path and may be read as the first and second transistors of claims 1 and 9 or the differential amplifier of claim 16. Then differential error amplifier 170 (fig. 3) which is part of the feedback circuit 140 may be read as the differential error amplifier of claim 9, or as performing the providing step of claim 1, or as the correction sensor of claim 16 as it supplies a differential error signal to the differential signal path in response to an error signal from the transistors 372,382. Temperature induced differential errors will be reduced as specified in the preambles of claim 1 and 9 and the last phrase of claim 16; see the abstract of Shih et al. In regard to claims 2,10 and 17-18, transistors 440,450 supply bias current to the sources of transistors 372,382 and may be read as the bias generator claimed. In regard to claims 5,6 and 13, error amplifier 170 includes a differential pair of transistors 1322,1332 as shown in fig. 6b and a differential correction current is supplied by the drains thereof. Regarding claims 7,14 and 24, the differential pair is connected to further stages (like 230) that could be regarded as 'downstream' and the error amp is connected to stage 202 which could be regarded as 'upstream' for instance. In regard to claims 8,15 and 24 as noted above the transistors 372,382 are directly connected to different sides of the differential signal path at their gates for instance.

Claims 3,4,11,12 and 19-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Regarding claims 3,4,11,12,19 and 20, it would necessary to read the drains (analogous to collectors) of the differential amplifier transistors of Shih et al. on the 'like' terminals and the sources (analogous to emitters) as the 'same' terminals claimed. This

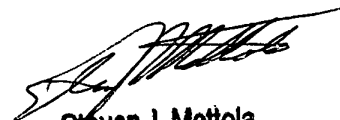
Art Unit:

is the reverse of the claimed arrangement. Regarding claims 21-23 Shih et al. lack the buffers claimed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Mottola whose telephone number is 703-308-4914. The examiner can normally be reached on M-Th from 8 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Pascal, can be reached on (703) 308-4909. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Steven J. Mottola
Primary Examiner